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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,256	03/29/1999	PETER KOZDON	99-P-7530-US	5509

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SIEMENS CORPORATION
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EXAMINER
SING, SIMON P

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/280,256	KOZDON ET AL.	
	Examiner	Art Unit	
	Simon Sing	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 April 2002*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 12-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 12-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 April 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. Claim 6 is objected to because of the following informalities:

"having a left and right stereo audio channel" in line 6 should be changed to "having a left and a right stereo audio channels". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al. US Patent 5,790,781 in view of Hinderks US Patent 6,041,295.

2.1 Regarding claim 1, Cox discloses a computer telephony system in figures 1-3. Cox's system comprises a computer 12, a microphone 14, speakers 18 and a headphone 19. The computer 12 further comprises a multi-function I/O subsystem 14 [sound system] in figures 2 and 3. Cox teaches using a stereo audio codec [audio processing means] to process digital audio signals into a digital stereo audio signal with

a left channel and a right channel, and routes the stereo audio signal to speakers 18 and a headphone 19 (Figures 1 and 3; column 3, lines 56-67).

Cox teaches connecting the speakers and the headphone to the computer 12 at the same time. Cox also fails to teach specifically routing one stereo channel to a loudspeaker and the other channel to a headset [or a headphone].

However, Hinderks discloses a programmable audio codec for processing analog and digital signals (column 5, lines 11-15) in figure 14. Hinderks's system comprises stereo outputs shown in figures 1 and 4. Hinderks teaches using a loudspeaker 1044 for real time evaluating and a headphone for monitoring audio signals (column 15, lines 46-51). Hinderks further teaches that controlled by a control signal from the Control Micro 50 via control bus 155, only the right audio channel or the left audio channel is routed to the headphone (column 27, lines 47-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Cox reference with the teaching of Hinderks so that only one loudspeaker would have been used and connected to one of the stereo audio output channels, a headset [or a headphone] would have been connected to the other stereo audio output channel, and a control signal would have been able to select either channel for audio output, because such a modification would have enabled the system to function as a standard telephone (headset with microphone) or a speakerphone (loudspeaker with microphone).

2.2 Regarding claim 2, the Cox reference, modified by Hinderks, teaches routing one stereo audio channel to a loudspeaker and the other channel to a headset, but fails to teach coupling with a data network and receiving packetized audio data.

However, Cox discloses that its system is coupled to a telephone network for data transfer (column 2, lines 35-41; column 3, lines 10-12), and Hinderks further discloses that its system is capable handling a variety of audio data, including audio packet (column 29, lines 52-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Cox reference, which was modified by Hinderks, with the teaching of Hinderks so that the computer telephony system would have been coupling to a data network and receiving packetized audio data, because such a modification would have enabled the computer telephony system to communicate digitally as an Internet telephone.

2.3 Regarding claim 3, the Cox reference, modified by Hinderks, teaches routing one stereo audio channel to a loudspeaker and the other channel to a headset, but fails to teach coupling with a telephony network and receiving telephony audio data.

However, Cox further teaches using a program for providing telephone applications, such as incoming and outgoing calls (column 7, lines 60-65; column 9, lines 22-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Cox reference, which was modified by

Hinderks, with the teaching of Cox so that the computer telephony system would have been coupling to a telephone network to receive telephony audio data, because such a modification would have enabled the computer telephony system to communicate with other telephones.

2.4 Regarding claim 4, the Cox reference, modified by Hinderks, teaches routing one stereo audio channel to a loudspeaker and the other channel to a headset, but fails to teach the system is a telephony over network system.

However, Cox further discloses that the computer system 10 is a telephony over network system (column 3, lines 8-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Cox reference, which was modified by Hinderks, with the teaching of Cox so that the computer telephony system would have been a telephony over network system, because such a modification would have been well within the teaching of Cox, and would have enabled the computer telephony system to communicate with other telephones over a telephone network.

2.5 Regarding claim 5, the Cox reference, modified by Hinderks, teaches routing either one stereo audio channel to a loudspeaker, or the other channel to a headset upon receiving a control signal, but fails to teach that the control signal is generated by a manual input device coupled with said computer telephony system.

However, Hinderks further discloses that the parameters of the codec is controlled by the computer 1040 with a manual input device such as a mouse or a keyboard (column 15, lines 43-46, 52-58, 65-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Cox reference, which was modified by Hinderks, with the teaching of Hinderks so that the computer telephony system would have had a manual input device to enable either the right or the left stereo output channel, because such a modification would have enabled a user to select a standard telephone mode (headset with microphone) or a speakerphone mode (loudspeaker with microphone).

2.6 Regarding claim 6, Cox discloses a computer telephony system in figures 1-3. Cox's system comprises a computer 12, a microphone 14, speakers 18 and a headphone 19. The computer 12 further comprises a multi-function I/O subsystem 14 [sound system] in figures 2 and 3. The multi-function I/O subsystem receives a digital signal from a ISDN connection (column 3, lines 8-12), processes the digital signal to generate a digital stereo audio signal with a left channel and a right channel, converts the right channel and the left channel audio signals into analog audio signal, and routes the stereo audio to speakers 18 and a headphone 19 (Figures 1 and 3; column 3, lines 56-67).

Cox teaches connecting the speakers and the headphone to the computer 12 at the same time. Cox fails to teach specifically routing one stereo channel to a loudspeaker and the other channel to a headset [or a headphone].

However, Hinderks discloses a programmable audio codec for processing analog and digital signals (column 5, lines 11-15) in figure 14. Hinderks's system comprises stereo outputs shown in figures 1 and 4. Hinderks teaches using a loudspeaker 1044 for real time evaluating and a headphone for monitoring audio signals (column 15, lines 46-51). Hinderks further teaches that controlled by a control signal from the Control Micro 50 via control bus 155, only the right channel or the left channel is routed to the headphone (column 27, lines 47-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Cox reference with the teaching of Hinderks so that only one loudspeaker would have been used and connected to one of the stereo audio output channels, a headset [or a headphone] would have been connected to the other stereo audio output channel, and a control signal would have been able to select either channel for audio output, because such a modification would have enabled the system to function as a standard telephone (headset with microphone) or a speakerphone (loudspeaker with microphone).

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al. US Patent 5,790,781 in view of Hinderks US Patent 6,041,295 and further in view of Sharma et al. US Patent 5,471,470.

The Cox reference, modified by Hinderks, teaches sending a control signal to route an audio signal to either one of stereo audio channels, but fails to teach that the control signal is generated after a ringing signal is detected.

However, Sharma discloses a computer based multifunction personal communication system in figures 1-3. Sharma teaches that after incoming rings are detected (figure 35, step 3411), the digital telephone CODEC 305 receives a control signal after a user selects an audio channel, i.e. speaker or headphone (figure 35 step 3412-3417; figure 49 and column 38, lines 58-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Cox reference, which was modified by Hinderks, with the teaching of Sharma so that the control signal would have been generated after a ringing signal was detected, because such a modification would have enabled a user to select a standard telephone mode (headset with microphone) or a speakerphone mode (loudspeaker with microphone).

4. Claims 8, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al. US Patent 5,790,781 in view of Hinderks US Patent 6,041,295 and further in view of Sharma et al. US Patent 5,471,470 and further in view of vrvilo et al. US Patent 5,913,062.

4.1 Regarding claim 8 and 9, the Cox reference, modified by Hinderks and Sharma, teaches sending a control signal to route an audio signal to either one stereo audio

channels after a ringing signal is detected, but fails to teach that the ringing signal is output on either one or both audio channels.

However, Vrvilo discloses a PC-based telephone conference system in figure 1. Vrvilo teaches that a ringing sound file (RINGIN.WAV) is played when an incoming call is detected (column 24, lines 26-29, 51-52), and the ringing sound file (RINGIN.WAV) is played through either a speaker or a headset (column 4, lines 44-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Cox reference, which was modified by Hinderks and Sharma, with the teaching of Vrvilo so that a ringing signal would have been output to either a speaker or the headset, or both, because such a modification would have alerted a user of an incoming call, and outputting the ringing signal to one or both audio channels would have been a design choice.

4.2 Regarding claim 12, Cox discloses a computer telephony system in figures 1-3. Cox's system comprises a computer 12, a microphone 14, speakers 18 and a headphone 19. The computer 12 further comprises a multi-function I/O subsystem 14 [sound system] in figures 2 and 3. The multi-function I/O subsystem receives a digital signal from a ISDN connection (column 3, lines 8-12), processes the digital signal to generate a digital stereo audio signal with a left channel and a right channel, converts the right channel and the left channel audio signals into analog audio signal, and routes the stereo audio to speakers 18 and a headphone 19 (Figures 1 and 3; column 3, lines 56-67).

Cox teaches connecting the speakers and the headphone to the computer 12 at the same time. Cox fails to teach specifically routing one stereo channel to a loudspeaker and the other channel to a headset [or a headphone]. Cox also fails to teach that a control signal, for selecting either the loudspeaker or the headset, is generated after a ringing signal is detected.

However, Hinderks discloses a programmable audio codec for processing analog and digital signals (column 5, lines 11-15) in figure 14. Hinderks's system comprises stereo outputs shown in figures 1 and 4. Hinderks teaches using a loudspeaker 1044 for real time evaluating and a headphone for monitoring audio signals (column 15, lines 46-51). Hinderks further teaches that controlled by a control signal from the Control Micro 50 via control bus 155, only the right channel or the left channel is routed to the headphone (column 27, lines 47-64).

Furthermore, Sharma discloses a computer based multifunction personal communication system in figures 1-3. Sharma teaches that after incoming rings are detected (figure 35, step 3411), the digital telephone CODEC 305 receives a control signal after a user selects an audio channel, i.e. speaker or headphone (figure 35 step 3412-3417; figure 49 and column 38, lines 58-60).

In addition, Vrvilo discloses a PC-based telephone conference system in figure 1. Vrvilo teaches that a ringing sound file (RINGIN.WAV) is played when an incoming call is detected (column 24, lines 26-29, 51-52), and the ringing sound file (RINGIN.WAV) is played through either a speaker or a headset (column 4, lines 44-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Cox reference with the teachings of Hinderks and Sharma, so that only one loudspeaker would have been used and connected to one of the stereo audio output channels, a headset [or a headphone] would have been connected to the other stereo audio output channel, and a control signal would have been generated, after a ringing signal was played (detected) at either channel, for selecting either channel for audio output, because such a modification would have enabled the system to function as a standard telephone (headset with microphone) or a speakerphone (loudspeaker with microphone).

5. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al. US Patent 5,790,781 in view of Hinderks US Patent 6,041,295 and further in view of Sharma et al. US Patent 5,471,470 and further in view of vrvilo et al. US Patent 5,913,062 and further in view of Heyl US Patent 5,774,567.

The Cox reference, modified by Hinderks, Sharma and Vrvilo, teaches sending a control signal to route an audio signal to either one stereo audio channels after a ringing sound file is played at one or both audio channels, but fails to teach that the ringing sound is generated with a pre-defined volume.

However, Heyl teaches that each stereo output has a variable gain control circuitry (Figure 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Cox reference, which was modified by

Hinderks, Sharma and Vrvilo, with the teaching of Heyl so that a ringing sound volume of each audio channel would have been preset, because such a modification would have enabled a user to set the volume he or she desired, and outputting the ringing sound to one or both audio channels would have been a design choice.

Response to Arguments

6 Applicant's arguments with respect to claim1-9 and 12-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

S.S.
06/26/2002

FAN TSANG
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